

SECTION 508 WEB POLICY

****DRAFT OF 5/25/2001****

Introduction

This document provides NASA policy in regards to accessibility of electronic and information technology in the area of Internet and Intranet Web pages, as required by Section 508 of the Rehabilitation Act (29 U.S.C. 794d). Detailed requirements for accessibility have been established by the Architectural and Transportation Barriers Compliance Board (Access Board) at 36 CFR Part 1194.

Scope and Responsibilities

The scope of this policy is all NASA web sites, i.e., all web sites in the “nasa.gov” Internet domain whether hosted by NASA or for NASA under contracts, grants, or other agreements *[and all web sites provided by or hosted by NASA contractors and grantees where the contract or grant requires the provision of web services on behalf of NASA’s missions, even if the web sites are not in the “nasa.gov” Internet domain (see 36 CFR § 1194.2(c))*. Owners of web sites must make their web sites accessible, or, if doing so constitutes an undue burden as defined below, provide other means to make the information or service provided at the web site available. NASA Center CIOs have the responsibility for the dissemination and enforcement of this policy.

Definitions

Web page: a distinctly addressed unit or collection of information provided through the network, and obtained by entering a Uniform Resource Locator (URL) in a web browser or similar software.

Web site: a collection of web pages within the same Internet domain name, prefixed with the same Uniform Resource Locator (URL). For example, the collection of web pages served under the URL <http://www.nasa.gov> is considered a single web site. Alternate definition (in current use at some Centers): a logical collection of web pages hierarchically structured under the same Internet domain name. For example, www.grc.nasa.gov/ABC/ and www.grc.nasa.gov/XYZ/ are treated as distinct web sites for logical and compliance planning purposes.

Compliant web page: a compliant web page adheres to Section 508 and the standards set by the Access Board.

Undue burden: defined and explained at 36 CFR § 1194.4 as follows: “Undue burden means significant difficulty or expense. In determining whether an action would result in an undue burden, an agency shall consider all agency resources available to the program or component for which the product is being developed, procured, maintained, or used.”

Undue Burden Considerations

The “significant difficulty” referenced in the definition of undue burden could result from lack of technology needed to bring a web page into compliance or other extenuating circumstance (e.g., a particular page will be taken off line in a short period of time). The Agency does not want to discourage innovative technical approaches for making information available via the web. Waivers for undue burden due to technical difficulty must explain in detail the nature of the technical difficulty. Waivers for undue burden for other reasons must contain a rationale containing detail appropriate to the circumstances. The other criterion for determining undue burden is the expense required to bring the site into compliance, relative to the resources available to the program or component that the web site supports. In the case of NASA, undue burden caused by expense must be relative to the resources that individual Centers or Programs (depending upon how the web work is funded) have available. Also, note that per 36 CFR § 1194.2(a)(1), “When compliance with the provisions of this part imposes an undue burden, agencies shall provide individuals with disabilities with the information and data involved by an alternative means of access that allows the individual to use the information and data.” Therefore, undue burden does not release NASA from providing the information and data in an accessible form.

There is no government-wide guidance on determining undue burden because of expense beyond that discussed above. Because of wide variability within NASA of local labor rates, effort required to bring pages into compliance, flexibility in the budgets of individual Centers and Programs, and similar factors, this policy does not give detailed guidance on determining what level of expense would constitute an undue burden. However, waivers for undue burden due to expense must state at a minimum the estimated cost of bringing a web site or page into compliance. In other regards, Centers and Programs should make undue burden determinations based upon their individual situations and the total resources available to the sponsoring Center, component, or program.

Centers are encouraged to bring web pages into compliance with Section 508 rather than claim undue burden, but are not expected to take offline otherwise-useful, non-compliant pages.

Contact Information

At a minimum, every NASA Center’s top level home page will include contact information. Contact information must allow the site user to get in direct contact with a NASA employee or representative to report problems with accessing Center web sites or other electronic/information technology, and to request information in an accessible format. Contact information should include at least an email address. Centers should ensure that reports of accessibility problems are acknowledged within a reasonable time frame, but no longer than five business days after receipt. Centers should also furnish information in an accessible format, as requested by site users via the contact, in as timely a fashion as possible. Centers are highly encouraged to also provide contact

information on other Center web pages, especially at major entry points into Center web sites and on those pages with significant accessibility problems, so that a user with an accessibility problem can readily find it.

New Web Pages

Effective immediately, new web pages must be compliant with Section 508, unless to do so would be an undue burden. Undue burden waivers must be approved by the Center CIO before new web pages are posted, with concurrent email notification to the NASA CIO. Center CIOs will report on a quarterly basis to the NASA CIO the number of undue burden waivers approved for new web pages, with a breakout of which waivers were approved for expense reasons and which for technical or other reasons.

New contracts

As of June 25, 2001, new contracts that include development or maintenance of web site(s) and/or web pages must include a provision requiring that web pages produced under the contract be compliant with Section 508 and Access Board rules, unless to do so would be an undue burden. It is the responsibility of the requiring office, working with the contracting officer, to ensure that language requiring Section 508 compliance is included in new contracts.

Existing contracts or in-house development

Effective immediately, all new web sites and web pages produced via existing contracts or developed in-house must be compliant with Section 508 and Access Board rules, unless compliance would be an undue burden. Centers should modify existing contracts, as needed, to ensure that new web pages are compliant with Section 508.

Existing Web Pages

NASA is currently responsible for approximately 1.9 million public web pages, as well as a large number of internal web pages. Bringing all of these existing pages into compliance with Section 508 would require more resources and time than the Centers and programs have available. Therefore, NASA has adopted the following approach regarding its existing web pages and Section 508 compliance:

- Priority One: the 20 most popular web pages at every NASA Center, as specified by the Centers in responding to the recent Department of Justice self-evaluation. Priority One pages must be brought into compliance with Section 508 by September 30, 2001, unless an undue burden exists. Undue burden waivers for Centers' top 20 Web pages require approval by the NASA CIO on a case-by-case basis. Waiver requests for Priority One pages must be submitted to the NASA CIO by August 31, 2001. As pages fall off the list of the 20 most popular web pages and are replaced on the list by other pages (e.g., a page on Mir is retired since Mir is no longer in orbit), Centers should

bring those pages into compliance as soon as practicable. While it is impossible to determine at any instant in time which Center web pages are most popular, Centers should monitor the activity associated with their web pages and ensure that those pages that are most popular for an appreciable period of time (i.e., two months or more) are accessible.

- Priority Two: generally, Center web pages that NASA employees, contractors, or the public use to enter information to request services (e.g., subscribe to a Center electronic newsletter) or to report on a situation (e.g., answer a help desk user satisfaction survey). Some web pages that are solely informational in nature may be of sufficient value to persons with disabilities that Centers may determine that they should be brought into compliance ahead of pages that are used to request services or report on a situation. Centers are encouraged to perform such analyses in order to provide maximum benefit to users with disabilities. Center CIOs may promote important informational web pages to Priority Two at their discretion.
- Priority Three: all Center web pages that are not Priority One or Priority Two. NASA Centers will review Priority Three web pages and make a determination of which pages will be brought into compliance with Section 508. This determination will be made based upon the popularity and importance of the web pages, the technology available for making them compliant, and the resources available for their modification.
- For Priority Two and Priority Three web pages: Centers will develop high-level plans for which Priority Two and Three web pages will be brought into compliance and when. Plans may be organized by web site rather than web page for convenience and to fit the management models used by individual Centers. Plans should include which sites/pages will be brought into compliance and which will not, with justification documented when sites/pages will not be made compliant. Center plans should be approved by Center CIOs and in place by September 30, 2001. A copy of each Center's plan will be provided to the NASA CIO. Center CIOs will review their plans every six months to determine whether revisions are needed based on changes to funding, new technology, increased demand for certain pages to be made accessible, and other considerations, until the plan has been completed. Center CIOs will report progress against their plans to the NASA CIO every six months until the plan is completed. Centers should consider making infrequently used and less important web pages compliant as they are modified for other reasons, such as updating content, and also retiring pages that are no longer needed, rather than expend the resources required to make them compliant with Section 508.

Centers should begin immediately to bring their existing web pages into compliance with Section 508, consistent with the guidance provided above, and not wait for completion of their plans.